301, 39 N. E. 1068, 27 L. R. A. 724, 45 Am. St. Rep. 615. The rule that a landowner is under no obligation to protect trespassers on his property, and that the same rule applies to children of tender years as to adults is supported in: *Ryan* v. *Towar* (1901), — Mich. —, 87 N. W. 644, 55 L. R. A. 310; *Ritz* v. *Wheeling*, 45 W. Va. 262, 31 So. E. 993, 43 L. R. A. 148; *Uttermohlen* v. *Bogg's Run Co.*, 50 W. Va. 457, 40 S. E. 410, 55 L. R. A. 911; and 61 N. J. L. 635, 91 Tex. 60 above; *Railway Co.* v. *Beavers*, 113 Ga. 398, 39 S. E. 82, 54 L. R. A. 314. Some courts hold that a different rule of liability is applicable when infants of tender years trespass and are injured than in the case of adults. *Branson* v. *Labrot*, 81 Ky. 638; *Schmidt* v. *Kansas Distilling Co.*, 90 Mo. 284, 1 S. W. 865; *Mackey* v. *City of Vicksburg*, 64 Miss. 777, 2 So. Rep. 178; *Brinkley Car Co.* v. *Cooper*, 60 Ark. 545, 31 S. W. 154, 57 L. R. A. 724; *Hydraulic Works Co.* v. *Orr*, 83 Pa. St. 332; *Penso* v. *McCormick*, 125 Ind. 116, 25 N. E. 156; *Kopplekom* v. *Col. Cement Pipe Co.*, — Colo. —, 64 Pac. 1047, 54 L. R. A. 284, and note; *Edgington* v. *B. C. R. R. Co.*, — Iowa, —, 90 N. W. 95, 57 L. R. A. 561.

PARTY WALLS—IMPLIED GRANT—RIGHT TO INCREASE HEIGHT OF WALL. —S built a brick building on each of two adjoining lots using a common dividing wall. He subsequently sold one lot to A and the other to B. The entire dividing wall proved to be located upon B's lot. A, without the consent of B, increased the height of the wall. B brought action to compel A to remove the part thus built. *Held*, that the action could not be maintained. *Bright* v. *Allen* (1902), — Pa. —, 53 Atl. Rep. 251.

The buildings having been built by S upon his own lots and severed by sale, the right to an easement in the wall passed by implication regardless of the fact that the building proved to be located upon the lot of B, and, being a party wall, A had a right to increase its height, the original wall not being materially injured or weakened thereby. The court said: "Where there is an implied grant of an easement of a party wall the easement must be according to the nature of the thing, and that nature includes the right to increase the height of the wall and make such other changes as the owner of the dominant tenement may find to his advantage." In most of the cases in which the right to an easement of a party wall has been involved, the dividing line between the two properties has passed through some part of the wall. *Western Nat. Bank's Appeal*, 102 Pa. St. 171; *Partridge* v. *Gilbert*, 15 N. Y. 601. The New York court held that the right to support adheres although the deed of one house include the whole party wall and even two inches beyond, if it appears that the wall is in fact a party wall. *Rodgers* v. *Sinsheimer*, 50 N. Y. 646. GODDARD says that "the right to support is granted by implication in every case where an owner of adjoining houses and land severs the property by sale": LAW OF EASEMENTS, 227. If the wall be in fact a party wall, there can be no question as to the right of either party to raise the wall if it can be done without material damage to the existing wall. *Dauenhauer* v. *Deane*, 51 Tex. 480. But the party raising the wall is liable as an insurer for any loss or damage by so raising it. *Phillips* v. *Boardman*, 14 Allen 147.

PUBLIC OFFICERS—COUNTY COMMISSIONERS—PERSONAL LIABILITY.— While confined in a jail, plaintiff's son was killed by a fire communicated from electric wires placed in the jail for lighting purposes. A statute provided that it should be the duty of the county commissioners to make personal examination of the jail of their county during each session of the board, and to correct irregularities and improprieties therein found. An action was brought by plaintiff against the electric light company, the county com-